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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
 DISTRICT OF NEVADA
 LAS VEGAS DIVISION

EVELYN COLON,

Plaintiff,

vs.

COMMISSIONER OF SOCIAL
 SECURITY,

Defendant

Case No. 2:20-cv-00496-VCF

ORDER **FOR THE AWARD
 AND PAYMENT OF ATTORNEY
 FEES AND EXPENSES
 PURSUANT TO THE EQUAL
 ACCESS TO JUSTICE ACT, 28
 U.S.C. § 2412(D), AND COSTS
 PURSUANT TO 28 U.S.C. § 1920**

1 IT IS HEREBY STIPULATED by and between the parties through their
2 undersigned counsel, subject to the approval of the Court, that Plaintiff Evelyn
3 Colon be awarded attorney fees and expenses in the amount of four thousand
4 seven hundred and eighty-three dollars (\$4,783.00) under the Equal Access to
5 Justice Act (EAJA), 28 U.S.C. § 2412(d), and no costs under 28 U.S.C. § 1920.
6 This amount represents compensation for all legal services rendered on behalf of
7 Plaintiff by counsel in connection with this civil action, in accordance with 28
8 U.S.C. §§ 1920, 2412(d).

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13 After the Court issues an order for EAJA fees to Plaintiff, the government
14 will consider the matter of Plaintiff's assignment of EAJA fees to Olinsky Law
15 Group. Pursuant to *Astrue v. Ratliff*, 560 U.S. 586 (2010), the ability to honor the
16 assignment will depend on whether the fees are subject to any offset allowed
17 under the United States Department of the Treasury's Offset Program. After the
18 order for EAJA fees is entered, the government will determine whether they are
19 subject to any offset.
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23 Fees shall be made payable to Plaintiff, but if the Department of the
24 Treasury determines that Plaintiff does not owe a federal debt, then the
25 government shall cause the payment of fees and expenses to be made directly to
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1 Olinsky Law Group, pursuant to the assignment executed by Plaintiff. Any
2 payments made shall be delivered to counsel, Matthew R. McGarry.
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5 This stipulation constitutes a compromise settlement of Plaintiff's request
6 for EAJA attorney fees, and does not constitute an admission of liability on the
7 part of Defendant under the EAJA or otherwise. Payment of the agreed amount
8 shall constitute a complete release from, and bar to, any and all claims that
9 Plaintiff Evelyn Colon, Matt R. McGarry, and/or Andrew Flemming, including
10 Olinsky Law Group, and Hal Taylor may have relating to EAJA attorney fees in
11 connection with this action.
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15 This award is without prejudice to the rights of Matt R. McGarry, Andrew
16 Flemming, Olinsky Law Group, and Hal Taylor to seek Social Security Act
17 attorney fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of
18 the EAJA.
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22 The parties agree that this stipulation terminates the pending motion at Dkt.
23 No. 28.
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26 Dated: April 20, 2021

Respectfully submitted,

OLINSKY LAW GROUP

/s/ Matthew R. McGarry
Matthew R. McGarry

Dated: April 20, 2021

Respectfully submitted,

CHRISTOPHER CHIOU
Acting United States Attorney

/s/ Allison J. Cheung
ALLISON J. CHEUNG

Special Assistant United States Attorney
Attorneys for Defendant

IT IS SO ORDERED:



HON. CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE

DATED: April 20, 2021